

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13454 of 2024

Arising Out of PS. Case No.-174 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

1. Sujeet Kumar @ Sujeet Ray S/O- Surendra Ray
 2. Randhir Kumar @ Nandheer Ray @ Nandheer Kumar S/O- Surendra Ray
 3. Shoshila Devi @ Sushila Devi W/O- Surendra Ray
 4. Kajal Devi W/O- Kalewar Ray
 5. Aariti Devi W/O- Randhir Ray
- All Petitioners Belong To Village- Gosaipur, P.S.- Shiwaipatti, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the IPC.

3. The learned counsel for the petitioners submit that petitioners are person with clean antecedent and petitioner no.3,4 and 5 are women.

4. It is next submitted that petitioners have been falsely implicated in the instant case by the informant on account of previous dispute with father of the petitioner no.1. It is further submitted that from perusal of the allegation as alleged



in the FIR, it would manifest that petitioner no.1 is alleged to have assaulted the informant by an iron rod causing injury on head. It is next submitted that petitioner no.2 is alleged to have snatched the chain from the daughter-in-law of the informant and as far as petitioner no.3, 4 and 5 are concerned the allegation against them is general and omnibus in nature. It is also submitted that though the order impugned does not record about the nature of injury suffered by the informant on account of assault by the petitioner no.1 by an iron rod on head, but then the learned counsels has instructions to submit that the informant received simple injury and blow was not repeated.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioner above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., (East), Muzaffarpur in connection with Shiwaipatti P.S. Case No.174 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



7. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner no.1 shall verify the injury report and, in the event if, it is found that the informant received grievous injury on account of assault by petitioner no.1, in that event, his bail bonds shall not be accepted, but if the injury received by the informant is simple in nature, in that event, the bail bonds of the petitioner no.1 shall also be accepted forthwith.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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